

Personal name in private law

Abstract

The subject of this thesis is analysis of legal framework of personal name in private law. The thesis deals with relevant parts of the Act No. 89/2012 Coll., the Civil Code (hereinafter „the Civil Code“), the most important private law act. The thesis also reflects the other acts, especially the ones which concern protection of the personal name. The text of the thesis also presents the relevant parts of Act No. 301/2000 Coll. about Registers, name and surname (hereinafter „Act No. 301/2000 Coll.“) because of its connection with the family law in the Civil Code. The thesis also reflects the law of European union because this law impacts internal law. The theoretical explanation is supported with suitable case law.

The first part presents the meaning of personal name in life and it also explains the sense of the term “personal name” in law. The second part provides history of legal evolution of personal name. The thesis presents the evolution of personal name in ancient Rome and in the Czech lands. The third part contains the right to a name and explains what is content of the right to name. The thesis compares national and international law of the right to a name. The fourth part reviews the protection of personal name according to the Civil Code. The fifth and the sixth part of the thesis are focused on legal rules of giving name and surname in conformity with the Civil Code and it also reflects further legal conditions in Act No. 301/2000 Coll. The following seventh part deals with the change of the name and surname and presents various life situations in which the name and surname are changing. The last part of the thesis summarizes the legal framework of the personal name in accordance with entrepreneurship and the preservation of the personal name. The thesis presents, *inter alia*, entrepreneur who makes juridical acts within his business activities under his own name, the personal name in the name of a legal person and it also describes the using of the personal name as a trademark or as a part of trademark.

Key words

- name and surname
- right to a name
- personal name